

**AMENDMENT NO. \_\_\_\_\_**

**TO**

**ORDINANCE NO. BL2018-1416, AS SUBSTITUTED**

Mr. President –

I move to amend Ordinance No. BL2018-1416, as substituted, as follows:

I. By amending Section 2 by (a) adding to Section 17.04.060 the term “columnar” and the definition as indicated below, to be arranged alphabetically; and (b) by deleting from Section 17.04.060 the proposed definition of “retained tree” therein in its entirety and substituting therefore the definition indicated below:

Columnar tree. A fastigate tree that narrows toward the top, having an upright narrow form, typically with branches that point upward, often nearly parallel to the main stem or trunk, thereby resembling a single column.

Tree, retained. “Retained tree” means a tree that is selected to be saved or preserved for purposes of being counted toward the required tree density for the property. To qualify as a retained tree, the tree shall not be listed on the most recent edition of the Tennessee Invasive Exotic Plant List and shall be in fair or better condition, with no major insect or pathological problems.

II. By amending Section 6 by deleting proposed Section 17.24.090.A and substituting in lieu thereof the following:

A. It is the intent of this article to minimize the removal of trees and to ensure that property owners and developers take reasonable measures to design and locate the proposed improvements so that the number of trees to be removed is minimized. In particular, the design shall attempt to preserve protected, heritage, and specimen and historic trees, which meet the criteria set forth in section 17.40.450, Designation of Tree Types. For purposes of this chapter, the term 'retained tree' means a tree that is selected to be saved or preserved for purposes of being counted toward the required tree density for the property and which is not listed on the most recent edition of the Tennessee Invasive Exotic Plant List and which is in fair or better condition, with no major insect or pathological problems.

III. By amending Section 6 by deleting Section 17.24.090.B in its entirety and substituting therefore the following:

B. Any tree with a diameter at breast height (DBH) of twenty-four inches (24”) or more, or that qualifies as a heritage tree under Section 17.40.450.B of this title, shall be survey located and depicted on the final site plan.

IV. By amending Section 7 by re-numbering Subsection 17.24.100.B.4 as 17.24.100.B.5, and by numbering the last sentence of Subsection 17.24.100.B.3 as subsection 17.24.100.B.4.

V. By further amending Section 7 by deleting from Section 17.24.100.B the Table labeled "Replacement Tree Schedule" in its entirety and substituting therefore the following:

**Replacement Tree Schedules:**

UNITS represents basal area.

CAL refers to caliper size (a tree's diameter measured six inches from the top of the root ball).

**Canopy Trees**

<b>CAL</b>	<b>UNITS</b>	<b>CAL</b>	<b>UNITS</b>	<b>CAL</b>	<b>UNITS</b>	<b>CAL</b>	<b>UNITS</b>
2	0.5	5	0.9	8	1.3	11	1.9
3	0.6	6	1.0	9	1.5	12	2.1
4	0.7	7	1.2	10	1.7	14	2.3

**Understory and Columnar Trees**

<b>CAL</b>	<b>UNITS</b>	<b>CAL</b>	<b>UNITS</b>	<b>CAL</b>	<b>UNITS</b>	<b>CAL</b>	<b>UNITS</b>
2	0.25	5	0.5	8	0.7	11	1.0
3	0.3	6	0.5	9	0.8	12	1.1
4	0.4	7	0.6	10	0.9	14	1.2

VI. By amending Section 7 by deleting Section 17.24.100.D in its entirety and substituting therefore the following:

D. Single-trunk replacement trees shall be (i) a minimum width of two-inch calipers; and (ii) a minimum height of six feet; in overall height and (iii) shall consist of recommended species listed in the Urban Forestry Recommended and Prohibited Tree and Shrub List.

VII. By amending Section 15 by deleting Section 17.40.470.A.2 in its entirety and substituting therefore the following:

2. Each application for a tree removal permit shall be accompanied by a tree survey based upon current information. The survey shall show the location, size and type of retained, protected and heritage trees upon the site, including common or scientific names. The survey shall indicate which retained, protected and heritage trees are intended for removal and/or grubbing and which will be left undisturbed. ~~An application for new construction does not require a tree survey when a final site plan shows that the required tree density will be met by showing the location, size and type of replacement or~~

~~retained trees upon the site which are to be installed or maintained as required to meet the tree density requirement.~~ A final site plan prepared to the same scale shall be submitted which illustrates the following:

- a. The locations of existing and proposed buildings, layout of roads, utilities, parking areas for vehicles, storage areas for construction materials, and other items that disturb or compact the soil in tree root zones.
- b. Existing and proposed grades and subsequent erosion control measures to prevent siltation over the roots of protected and heritage trees and appropriate tree protection fencing for those trees.

VIII. By amending the Ordinance, as substituted, in its entirety by deleting the following typographical errors and substituting in lieu thereof the corrections as indicated:

Delete all references to "Forestry Recommended and Prohibited Tree and Shrub List" and substitute in lieu thereof "Urban Forestry Recommended and Prohibited Tree and Shrub List";

Delete all references to "Inpidual" and substitute in lieu thereof "individual";

Delete all references to "heigh" and substitute in lieu thereof "height";

Delete all references to "Schedul" and substitute in lieu thereof "Schedule";

Delete all references to "per inc" and substitute in lieu thereof "per inch";

Delete all references to "sudpision" and substitute in lieu thereof "subdivision";

Delete all references to "DPH" and substitute in lieu thereof "DBH";

Delete all references to "MAgnolia" and substitute in lieu thereof "Magnolia";

Delete all references to "urban forester" and substitute in lieu thereof "Urban Forester".

INTRODUCED BY:

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Angie Henderson  
Member of Council